

Virginia Opioid Abatement Authority

AGENDA

December 1, 2022

6:30 pm

Blue Ridge Behavioral Healthcare

1315 Franklin Rd., SW

Roanoke, Virginia

Public comments will not be taken during this meeting. However, a town-hall style listening session will be held immediately after this meeting at the same location.

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| I) | Call to Order and Establish Quorum | Senator Todd Pillion,
Chair |
| II) | Approval of Oct. 24, 2022 Minutes | Senator Todd Pillion,
Chair |
| III) | Recognition of Guests and Agency Liaisons | Senator Todd Pillion,
Chair |
| IV) | Update on Listening Sessions | Jennifer Faison,
Executive Director, VACSB |
| V) | Update from the Grants Committee | Dr. Sarah Melton,
Chair, Grants Committee |
| VI) | Update from the Office of the Attorney General | Richard Schweiker,
Section Chief |
| | a. Status of Settlement Cases | Consumer Protection |
| | b. Conflict of Interest Policy Review | James Schliessmann,
Sr. Assistant Atty Gen |
| VII) | Update from the Executive Director | Tony McDowell,
Executive Director |
| VIII) | New Business | Tony McDowell,
Executive Director |
| | a. Annual Election of Officers | |
| | b. Policy on Conflict of Interest | |
| | c. Proposal for an Abatement Resource Coordinator position | |
| | d. Proposal for an Accountant position | |
| IX) | Adjournment | Senator Todd Pillion,
Chair |

Minutes

Virginia Opioid Abatement Authority

Board of Directors meeting

October 24, 2022

5:30 pm

All Virtual Format

Conducted via Zoom Webinar

NOTE: the video of the webinar can be viewed at

<https://youtu.be/HCNBjw8RiLk>

I) Call to Order and Establish Quorum

Senator Pillion called the meeting to order and noted the meeting was being conducted in a virtual format as allowed by the Code of Virginia. It was established that a quorum was present. The following members were in attendance: Chairman Senator Todd Pillion, Vice Chair Dr. Sarah Melton, Delegate Jason Ballard, Supervisor James Holland, Mr. Mike Tillem, Mr. Timothy Spencer, Sheriff Joe Baron, Ms. Sharon Buckman, Mr. Daryl Washington, Dr. James Thompson, and Mr. Craig Markva (designee of Secretary John Little).

II) Approval of September 7, 2022 Minutes

A motion was made and properly seconded to approve the minutes from the September 7, 2022, meeting. There was no discussion and no changes were made. Motion passed unanimously.

III) Welcome and comments

Chairman Pillion welcomed all in attendance recognized new OAA Board Member Mike Tillem.

IV) Update from the Executive Director

Mr. McDowell presented a PowerPoint presentation which is attached to these minutes.

- Mr. McDowell reviewed status of settlements received to date in the Commonwealth of Virginia.
- Mr. McDowell introduced Mr. Adam Rosatelli, the new Director of Finance for the Opioid Abatement Authority. He noted that Charlie Lintecum will start with the OAA on Oct. 25 as Director of Operations, and Ms. Cara Moiran will be starting with the OAA on November 10, 2022 in the role of Administrative Staff Specialist. A new office lease has been

signed and OAA expects to move into that office within a few days.

- Mr. McDowell noted that the Grants Committee has not yet been formed and that he will be working with Chairman Pillion to get that group in place.
- Mr. McDowell introduced Ms. Hala Najm, a Fulbright Scholar who is participating in the U.S. State Department's Humphries Fellowship at VCU, and who has selected the OAA as her internship experience as required in the fellowship program.
- Mr. McDowell reviewed recent outreach efforts of the OAA, including several speaking engagements at statewide conferences, webinars, and other events. OAA has made introductions with statewide opioid abatement / opioid settlement offices in other states including Colorado, Tennessee, and Kentucky.
- There was a discussion of upcoming events, which includes a Board meeting on December 1, 2022, in Roanoke, and a series of "listening sessions" around the Commonwealth.
- Mr. McDowell discussed plans to conduct a workshop for localities to learn the details of the grant application process; this event is scheduled for January 19-20 in Richmond. This is also the date that the OAA will begin receiving applications and proposals for funds from cities and counties.

V) New Business

- Mr. McDowell reviewed a proposed new policy entitled, "policy to incentivize cities and counties to use and report direct distributions from opioid settlements by meeting the OAA "gold standard."
- As background to explain the rationale for the proposed policy, Mr. McDowell reviewed the statutory structure and requirements for the distributions of OAA funds to cities, counties, and state agencies. He described the OAA's requirements as comprising a "gold standard" and best practice in terms of the uses and limitations imposed on those funds. By comparison, the funds that are provided to cities and counties directly from the settling companies lack clearly defined limitations and requirements. The proposed policy would incentivize the cities and counties to voluntarily apply the OAA's "gold standards" to funds received through direct distributions from settling companies. In return the OAA would increase the locality's OAA reserved funding by 25 percent.
- Mr. Spencer asked whether the OAA would build a "toolkit" of pre-approved abatement programs. Mr. McDowell responded that while the OAA may not be offering endorsements of specific programs or services, that the OAA could accept certain types of independent accreditations and certifications of services or programs as prima facie evidence that the program or

service has met the intent of the statute. This in turn could expedite the process of making awards in those cases.

- Mr. Holland asked whether the OAA has the authority to incentivize localities in the manner recommended in the policy. Mr. Schliessmann responded that the Office of the Attorney General has reviewed and believes this policy can be enacted by the OAA.
- Mr. Holland also noted that the expanded reporting requirements this policy would have for participating localities may help the OAA with its own annual reporting requirements. He also noted that it may be necessary to revise the OAA's budget as the Authority continues to implement its policies and programs.
- As no further discussion was offered on the policy, a motion was made and properly seconded to adopt the policy as presented. The motion passed unanimously.

VI) Public Comment

Chairman Todd Pillion opened a period of public comment.

- Mr. McDowell explained the method of individuals to provide public comments in the virtual setting.
- No public comments were offered.

VII) Adjournment

Chairman Todd Pillion adjourned the meeting at 6:18 pm.

POLICY AND PROCEDURE TO ADDRESS POTENTIAL CONFLICTS OF INTEREST

In preparation for the work that the Board of Directors (“Board”) of the Opioid Abatement Authority (“OAA”) and the Grants Committee (“Committee”) is anticipated to undertake, and in the spirit of transparency, this policy outlines the procedure that members of the Board and the Committee will follow to avoid conflicts of interest and mitigate appearances of impropriety.

Guided by the Virginia Conflict of Interests Act (“COIA”) (*see* Virginia Code § 2.2-3100 *et seq.*), members of the Board and the Committee are committed to refrain from:

- Prohibited Conduct as delineated by Virginia Code § 2.2-3103, including:
 - Solicitation or acceptance of money or other thing of value for services performed within scope of official duties;
 - Offering or accepting any money or other thing of value for or in consideration of the use of public position to obtain a contract for any person or business;
 - Using confidential information for own economic benefit or that of another party confidential that was acquired by reason of public position;
 - Accepting any money, loan, gift, favor, service, or business or professional opportunity that tends to influence the Board member in the performance of the member’s official duties; or
 - Accepting any honoraria for any appearance, speech, or article in which the Board member provides expertise or opinions related to the performance of the member’s official duties.
- Prohibited Conduct relating to Gifts as delineated by Virginia Code § 2.2-3103.1 whereby Board members or members of the Board members’ immediate family shall not solicit, accept, or receive any single gift with a value in excess of \$100 or any combination of gifts with an aggregate value in excess of \$100 within any calendar year from any lobbyist or any person, organization, or business who is or is seeking to become a party to a contract with the OAA.
- Prohibited Conduct relating to Contracts as delineated by Virginia Code § 2.2-3106 whereby Board members shall not have a personal interest in a contract with the OAA.
- Prohibited Conduct relating to Personal Interests in a Transaction as delineated by Virginia Code § 2.2-3112. Personal Interest is defined as a financial benefit or liability accruing to the Board member or the Board members’ immediate family (*see* Virginia Code § 2.2-3101).

The above list is not exhaustive. COIA includes a number of additional prohibitions and exceptions. Two examples of COIA’s application to OAA may be illustrative. Example One: Can a Board member vote on a project where the city/county that he works for is involved? Response: The statutory definition of having a “personal interest” equates to having a financial interest for the Board member or the member’s immediate family. In this example, if the only connection between the project and the Board member is that it is located in a locality where the

Board member works/resides, and there is no financial interest involved, then the Board member does not have to recuse themselves and can vote on the project.

Example Two: Can a Board member vote on a project where the business that a member of his immediate family works for (or owns) is connected to a funding request from a locality or state agency? Response: The Board member would have a “personal interest” in the project and therefore should declare his conflict and not vote on the project.

Statutorily and procedurally, a Board member having a “personal interest” in a transaction shall disqualify himself from participating in the transaction. The Board member shall disclose his personal interest and shall not vote or in any manner act on behalf of the OAA in the transaction. *See Virginia Code § 2.2-3112(A)*. Nevertheless, COIA cites an exception whereby a Board member having a personal interest in a transaction may participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction. *See Virginia Code § 2.2-3112(B)(3)*. OAA staff and counsel are available to assist each Board member in navigating through possible conflicts. Additionally, the Virginia Conflict of Interest and Ethics Advisory Council currently employs two full-time attorneys to assist in the interpretation and application of COIA.

In anticipation that the members of the Committee and members of the Board will be voting on the awards of grants and disbursements from the OAA Fund that will finance evidence-based programs, each member will need to self-examine whether they have a “personal interest” in each project. To facilitate each Board member’s and each Committee member’s self-examination, it will be incumbent on OAA staff to provide pertinent information to each member in a timely manner. Therefore, it is the policy of the OAA that timely information be provided by OAA staff to members before public meetings for their individual determination on whether a project may involve a “personal interest” thus requiring their disclosure and recusal at the public meeting.

Procedurally, OAA staff envision that a slate of projects would be voted on at Committee or Board meetings. Should members identify any possible conflict with a specific project within the slate, that project can be excised, and all members can vote on the amended slate. Then members (minus the conflicted member(s)) can vote on the excised project.

Date of Board Approval: _____

Position Information

Working Title: **Senior Accountant**

Role Title: Financial Services Specialist II

Hiring Range: \$70,000 - \$95,000

Type of Recruitment: General Public - G

EEO Code/Category: B – Professional

Job Type: Full-Time (Salaried)

Does this position have telework options? Yes

Bilingual/Multilingual Skill Requirement/Preference: No

Pay Band: UG

Job Open Date: TBD

Open Until Filled: Yes

Is this position funded in whole or in part by the American Recovery & Reinvestment Act (Stimulus Package)? No

Hiring Agency: VA Opioid Abatement Authority (856)

Agency Website: <http://www.oaa.virginia.gov>

Location: Richmond (City) - 760

Job Description

VDH is posting on behalf of the Opioid Abatement Authority (OAA).

A unique opportunity exists to work for the Opioid Abatement Authority (OAA) as its Senior Accountant. The purpose of the OAA is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Opioid Abatement Fund ("Fund"), in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth. The OAA is responsible for the establishment of criteria for funding requests and awards, ensuring that awards are distributed equitably, and evaluating funding requests and the implementation/results of the projects supported by the Fund. The OAA is established as an independent authority within State government, governed by an eleven-member Board of Directors and all of its employees are considered At-Will.

The OAA will be staffed with a small team of flexible, hard-working professionals who are committed to the mission of saving lives and helping communities recover from the opioid epidemic. OAA staff will exemplify stewardship of public trust and of the funds entrusted to our care. We will guard against waste or inefficiency, and we will perform our duties in a transparent manner. All staff members of the

OAA will need to “wear multiple hats” and be willing to proactively complete any of a wide variety of duties as needed. The team environment requires all employees bring ideas forward and help identify creative solutions. The OAA office is located in downtown Richmond near Capitol Square. Because the OAA is in start-up mode the nature of the work requires in-person presence at the office most days. However, just as the OAA expects its team members to be flexible and dynamic, in turn the team members should also expect the workplace itself to be flexible and dynamic. The availability of remote work will be evaluated over time and consistent with the goals of the OAA.

The OAA offers the challenge and opportunity of public service, work-life balance, and an attractive compensation package inclusive of paid time off, paid holidays, health/dental/life insurance, retirement and more. Compensation including base pay, bonuses and pay increases will be established by the Board of Directors.

The successful candidate will operate under the general direction of the Director of Finance and will be expected to accurately account for the receipt and subsequent distribution of OAA grant funds across Virginia’s 133 cities and counties and numerous state agencies, throughout the grant lifecycle. In addition, the position will have a lead role in the OAA’s financial reporting and analysis and preparing for and facilitating an annual audit by the Auditor of Public Accounts, as well as assisting the Director of Finance in developing the OAA’s broader near to long-term financial strategy.

This is an open until filled recruitment. The first review of resumes will occur on January TBD.

Minimum Qualifications

Considerable knowledge of general and state accounting policies and procedures and state systems.

Advanced knowledge of generally accepted accounting principles and practices, state reconciliation procedures, and federal and state funding procedures.

Highly proficient in the use of information systems, including state agency-based systems interfacing with the Cardinal Financials application, and Office 365.

Demonstrated ability to work independently; analyze/interpret and apply financial regulations, accounting methods, policies, and procedures; meet deadlines; analyze interpret, and solve complex problems related to fiscal data and fund sources; prepare financial reports and statements; and work in an automated environment.

Excellent communication and relationship building skills with an ability to prioritize, negotiate, and work with a variety of internal and external stakeholders.

Preferred Qualifications

College degree in accounting/business administration or related field.

Extensive experience with state accounting processes, procedures and applicable policies and laws, and state audit practices and procedures, including those prescribed and administered by the Auditor of Public Accounts.

Experience with cash and accrual-based accounting.

Certified Public Accountant (CPA) certification.

Special Requirements

Employment is contingent upon satisfactory results of a state and federal criminal history background check and the Department of Social Service's Child Abuse and Neglect Central Registry check, U.S. HHS IG Exclusion List check, employment reference check and E-Verify. Other financial, credit, driving, or other background checks prior to employment may be required for certain positions. Completion of Statement of Economic Interests will be required upon employment.

Special Instructions to Applicants

The Opioid Abatement Authority accepts only on-line applications. Faxed, mailed, or e-mailed applications will not be considered. A cover letter and resume is required and may be submitted in lieu of fully completed application. Applications will be accepted until the position has been filled. Please be sure all pertinent work experience is included on your resume.

It is the policy of the Commonwealth that all aspects of human resource management be conducted without regard to race (or traits historically associated with race including hair texture, hair type, and protective hairstyles such as braids, locks, and twists); sex; color; national origin; religion; sexual orientation; gender identity or expression; age; veteran status; political affiliation; disability; genetic information; and pregnancy, childbirth, or related medical conditions. As a V3 (Virginia Values Veterans) organization, the Opioid Abatement Authority honors the Commonwealth's veteran's hiring preference.

State agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application process should follow the instructions in the job opportunity announcement. For any part of the remaining hiring process, applicants should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Working Title: **Abatement Resource Coordinator**

Role Title: Program Admin Specialist II - 19212

Hiring Range: \$65,000 to \$85,000

EEO Code/Category: B – Professional

Job Type: Full-Time (Salaried)

Telework Options Yes

Bilingual preference No

Pay Band UG

Funded by ARPA No

Hiring Agency Opioid Abatement Authority (856)

HERC No

Location Abingdon (or surrounding)

Type of Recruitment General Public

Job Description:

A unique opportunity exists to work for the Opioid Abatement Authority (“Authority”) as a Resource Coordinator. The purpose of the Authority is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Opioid Abatement Fund (“Fund”), in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth. The Authority is established as an independent body, governed by an eleven-member Board of Directors and all of its employees are considered at-will.

The successful candidate will utilize their expertise in substance use disorder abatement programs to assist localities and their local and regional partners by providing guidance, information, and technical assistance as well as serving as a liaison to bring groups together to develop solutions to abate and remediate the opioid epidemic in their communities. The position will also support the Director of Operations in monitoring the performance of these programs, reviewing reports submitted by the recipients, observing the results, and evaluating their effectiveness. This will require a strong personal and professional commitment to building relationships across the Commonwealth with local government representatives, service providers, patient advocates, law enforcement personnel, and numerous other stakeholders. Diplomacy and a focus on customer service will be an expectation.

This position will be home-based in the far southwestern area of Virginia (in or near Abingdon, VA). The selected candidate will be expected to travel extensively across southwestern Virginia and to engage stakeholders and community leaders in areas where the prescription opioid addiction crisis has caused significant harm. The position will build and foster relationships, support localities, and review and assess programs. Agency technology will be provided for work, an agency vehicle will be provided for

travel, and per diem for any overnight travel. Occasional travel to Richmond and other parts of the state will be required.

The OAA is staffed with a small team of flexible, hard-working professionals who are committed to the mission of saving lives and helping communities recover from the opioid epidemic. OAA staff will exemplify stewardship of public trust and of the funds entrusted to our care. We will guard against waste or inefficiency, and we will perform our duties in a transparent manner. All staff members of the OAA will need to “wear multiple hats” and be willing to proactively complete any of a wide variety of duties as needed. The team environment requires all employees bring ideas forward and help identify creative solutions. The OAA office is located in downtown Richmond near Capital Square.

The Authority offers the challenge and opportunity of public service, work-life balance, and an attractive compensation package inclusive of paid time off, paid holidays, health/dental/life insurance, retirement and more.

Minimum Qualifications

Excellent communication skills in writing and public speaking, including developing and leading training or technical assistance in person or via virtual platform.

Experience with human services and/or behavioral health programs

Experience with substance use disorder abatement programs, which may include prevention, harm reduction, treatment, criminal justice diversion, and/or recovery.

Demonstrated ability to read, interpret and apply state and federal laws, guidelines and regulations.

Work experience and proficiency with information systems including Office 365.

Demonstrated ability to establish strong relationships with key customers, including but not limited to Virginia local governments, state agencies that provide medical and behavioral health services, as well as non-profit and private entities.

A valid State Driver’s License is required to operate a state vehicle or if operating a personal vehicle while conducting business on behalf of the agency.

Preferred Qualifications

Bachelor’s Degree with emphasis on human services or behavioral science

Experience in reviewing programmatic requests and/or grant submissions to evaluate and assess the requests, screening those requests against a set of priorities, and developing recommendations.

Peer Recovery Specialist or similar certification

Considerable expertise and in-depth experience with substance use disorder prevention, treatment and recovery

Experience advising and/or creating partnerships with local governments and/or regional organizations

Special Requirements

Employment is contingent upon satisfactory results of a state and federal criminal history background check and the Department of Social Service's Child Abuse and Neglect Central Registry check, U.S. HHS IG Exclusion List check, employment reference check and E-Verify. Other financial, credit, driving, or other background checks prior to employment may be required for certain positions. Completion of Statement of Economic Interests will be required upon employment.

Special Instructions to Applicants

The Opioid Abatement Authority accepts only on-line applications. Faxed, mailed, or e-mailed applications will not be considered. A cover letter and resume is required and may be submitted in lieu of fully completed application. Applications will be accepted until the position has been filled. Please be sure all pertinent work experience is included on your resume.

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